

## **REMARKS**

Reconsideration of this application in view of the above amendments and the remarks below is respectfully requested. Claims 1, 12, 20-25, 30, 33, 38, 46, and 51 are amended. Claims 13, 31, 32, 44, 45, and 57 are canceled. No claims are added. Hence, Claims 1-6, 11, 12, 20-25, 30, 33-38, 43, 46-51, 56, and 58 are pending in the application.

### **I. ISSUES NOT RELATED TO CITED REFERENCES**

#### **A. CLAIM OBJECTIONS**

Claims 12, 13, 32, 44, 57 and 58 are objected to because of informalities. The objection to Claims 13, 32, 44, and 57 is moot as these claims are canceled. Present Claims 12 and 58 are free of the informalities. Removal of the objection to Claims 12 and 58 is respectfully requested.

#### **B. 35 U.S.C. 112, SECOND PARAGRAPH**

Claims 1-6, 11-13, 20-25, 30-38, 43-51, and 56-58 are rejected under 35 U.S.C. 112, second paragraph, for allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter applicant regards as the invention. The rejection to Claims 13, 31, 32, 44, 45, and 57 is moot as these claims are canceled. Present Claims 1-6, 11, 12, 20-25, 30, 33-38, 43, 46-51, 56, and 58 are free of alleged indefiniteness. Removal of the rejection is respectfully requested.

#### **C. 35 U.S.C. 112, SECOND PARAGRAPH**

Claims 20-25 and 30-32 are rejected under 35 U.S.C. § 101 for being allegedly directed to non-statutory subject matter. The rejection to Claims 31 and 32 is moot as these two claims are canceled. The present Claims 20-25, 30, and 33 are directed to statutory subject matter. Removal of the rejection is respectfully requested.

## II. ISSUES RELATED TO ALLEGED PRIOR ART

### A. ISSUES RELATED TO 35 U.S.C. 103(a) – *SOUMIYA*, *FODER*, AND *BESHAI*

Claims 1, 12, 20, 31, 33, 44, 46 and 57 are rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Soumiya, US005583857A (hereinafter "*Soumiya*") in view of Fodor, US006788646B1 (hereinafter "*Fodor*"), and in further view of Beshai (IEEE journal, hereinafter "*Beshai*"). The rejection to Claims 31, 44, and 57 is moot as these claims are canceled. The rejection to each of the remaining claims is respectfully traversed.

#### **Independent Claim 1**

The Office Action states that previous Claim 13 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims. As last presented, Claim 13 only depends on Claim 1. Present Claim 1 incorporates all of the limitations of previous Claims 1 and 13. Therefore, Claim 1 is allowable for the same reason that previous Claim 13 would be allowable. Reconsideration and removal of the rejection to Claim 1 is respectfully requested.

#### **Claims 20, 33, and 46**

Claims 20, 33, and 46 each recite similar features as those discussed above with respect to Claim 1. Therefore, Claims 20, 33, and 46 are patentable for at least the same reasons discussed above as to Claim 1.

#### **Claims 12, 31, 44 and 57**

Claims 12, 31, 44 and 57 depend from, and hence, incorporate all of the limitations of Claim 1, 20, 33, or 46. These claims also recite further limitations that render them patentable over the cited references. Applicant submits that Claims 12, 31, 44 and 57 are patentable for at least the reasons given above in connection with Claim 1, 20, 33, or 46.

B. ISSUES RELATED TO 35 U.S.C. 103(a) – *SOUMIYA, FODER, BESHAI*  
*AND KRAUSHAAR*

Claims 2, 21, 34, and 47 are rejected under 35 U.S.C. 103(a) as allegedly unpatentable over *Soumiya* in view of *Foder* and *Beshai*, and further in view of *Kraushaar*, U.S. Patent No. 4,200,771 (hereinafter "*Kraushaar*"). This rejection is respectfully traversed.

Claims 2, 21, 34, and 47 depend from, and hence, incorporate all of the limitations of Claim 1, 20, 33, or 46. These claims also recite further limitations that render them patentable over the cited references. Applicant submits that Claims 2, 21, 34 and 47 are patentable for at least the reasons given above in connection with Claim 1, 20, 33, or 46.

C. ISSUES RELATED TO 35 U.S.C. 103(a) – *SOUMIYA, FODER, BESHAI*  
*AND MASHINKSY*

Claims 3, 22, 35 and 48 are rejected under 35 U.S.C. 103(a) as allegedly unpatentable over *Soumiya* in view of *Foder* and *Beshai*, and further in view of *Mashinsky*, US20050111647A1 (hereinafter "*Mashinsky*"). This rejection is respectfully traversed.

Claims 3, 22, 35 and 48 depend from, and hence, incorporate all of the limitations of Claim 1, 20, 33, or 46. These claims also recite further limitations that render them patentable over the cited references. Applicant submits that Claims 3, 22, 35 and 48 are patentable for at least the reasons given above in connection with Claim 1, 20, 33, or 46.

D. ISSUES RELATED TO 35 U.S.C. 103(a) – *SOUMIYA, FODER, BESHAI*  
*AND VANDERVORT*

Claims 4, 23, 36 and 49 are rejected under 35 U.S.C. 103(a) as allegedly unpatentable over *Soumiya* in view of *Foder* and *Beshai*, and further in view of *VanDervort*, U.S. Patent No. 5,699,346 (hereinafter "*VanDervort*"). This rejection is respectfully traversed.

Claims 4, 23, 36 and 49 depend from, and hence, incorporate all of the limitations

of Claim 1, 20, 33, or 46. These claims also recite further limitations that render them patentable over the cited references. Applicant submits that Claims 4, 23, 36 and 49 are patentable for at least the reasons given above in connection with Claim 1, 20, 33, or 46.

E. ISSUES RELATED TO 35 U.S.C. 103(a) – *SOUMIYA, FODER, BESHAI AND DEPELTEAU*

Claims 5, 24, 37 and 50 are rejected under 35 U.S.C. 103(a) as allegedly unpatentable over *Soumiya* in view of *Foder* and *Beshai*, and further in view of *Depelteau*, US006118764A (hereinafter "*Depelteau*"). This rejection is respectfully traversed.

Claims 5, 24, 37 and 50 depend from, and hence, incorporate all of the limitations of Claim 1, 20, 33, or 46. These claims also recite further limitations that render them patentable over the cited references. Applicant submits that Claims 5, 24, 37 and 50 are patentable for at least the reasons given above in connection with Claim 1, 20, 33, or 46.

F. ISSUES RELATED TO 35 U.S.C. 103(a) – *SOUMIYA, FODER, BESHAI AND TAKEUCHI*

Claims 6, 25, 38 and 51 are rejected under 35 U.S.C. 103(a) as allegedly unpatentable over *Soumiya* in view of *Foder* and *Beshai*, and further in view of *Takeuchi*, US20040062256A1 (hereinafter "*Takeuchi*"). This rejection is respectfully traversed.

Claims 6, 25, 38 and 51 depend from, and hence, incorporate all of the limitations of Claim 1, 20, 33, or 46. These claims also recite further limitations that render them patentable over the cited references. Applicant submits that Claims 6, 25, 38 and 51 are patentable for at least the reasons given above in connection with Claim 1, 20, 33, or 46.

G. ISSUES RELATED TO 35 U.S.C. 103(a) – *SOUMIYA, FODER, BESHAI AND ISHIKAWA*

Claims 11, 30, 43 and 56 are rejected under 35 U.S.C. 103(a) as allegedly unpatentable over *Soumiya* in view of *Foder* and *Beshai*, and further in view of *Ishikawa*, US005838671A (hereinafter "*Ishikawa*"). This rejection is respectfully traversed.

Claims 11, 30, 43 and 56 depend from, and hence, incorporate all of the limitations of Claim 1, 20, 33, or 46. These claims also recite further limitations that render them patentable over the cited references. Applicant submits that Claims 11, 30, 43 and 56 are patentable for at least the reasons given above in connection with Claim 1, 20, 33, or 46.

### III. CONCLUSIONS & MISCELLANEOUS

For the reasons set forth above, all of the pending claims are now in condition for allowance. The Examiner is respectfully requested to contact the undersigned by telephone relating to any issue that would advance examination of the present application.

If any applicable fee is missing or insufficient, throughout the pendency of this application, the Commissioner is hereby authorized to charge any applicable fees and to credit any overpayments to our Deposit Account No. 50-1302.

Respectfully submitted,

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